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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|-------------------------|---------------------|------------------|
| 09/605,602 | 06/28/2000 | Srivatsan Parthasarathy | MS146909.1 | 5788 |
| 27195 | 7590 | 01/20/2006 | EXAMINER | |
| AMIN & TUROCY, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114 | | | ARANI, TAGHI T | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2131 | |

DATE MAILED: 01/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 09/605,602 | Applicant(s) PARTHASARATHY ET AL. | |
| | Examiner Taghi T. Arani | Art Unit 2131 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 21 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11,12,14-19 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11,12,14-19 and 21-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detail Office Action

1. Claims 1, 3-9, 11-12, 14-19, 21-24 have been examined and are pending.

Response to Amendment

Applicant's amendment filed 10/21/2005 necessitated the new ground(s) of rejection presented in this Office action. Therefore, the Applicant's arguments are rendered moot.

Accordingly, THIS ACTION IS MADE FINAL. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Claim Rejections - 35 USC § 112

Claims 5 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 5 and 15 recite the limitation "the referencing assembly" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-9, 11-12, 14-19, 21-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Drews, US Patent 6,463,535.

As per claims 1, 9, 12, 16 and 19, Drews teaches:

Drews teaches method, system and computer readable medium having at least on computer executable component for facilitating a secured name spaces for an assembly employable by application programs during runtime, comprising the steps of:

providing a key pair having a public key and a private key (Fig. 3 and associated text, certificate chain 320 for each sub-image of the boot image contained in a signed manifest, col. 4, lines 31-44);

providing the assembly with a manifest that contains the public key (Figure 3, element 150, col. 4, lines 31-38, manifest contains certificate chain 320);

hashing the assembly (col. 4, lines 38-44);

encrypting the hash of the assembly with the private key (col. 4, lines 45-50); and

relating the encrypted hash to the assembly (col. 5, lines 25-31).

referencing the assembly with a manifest that contains a token of the public key that is computed by a hash function (col. 5, lines 19-32, discloses that in verifying the integrity of downloaded software (referencing the assembly that references the assembly), upon retrieving a boot image, the verification function is invoked and given references associated with the boot image and that the references include address pointers to data structure associated with both a data object and an optional signed manifest. Figure 3 and corresponding text col. 4, line 60 through col. 5, line 19 disclosed of signed manifest containing certificate chain 32 (i.e. a token of public key that is computed by a hash function (certificates certified by CA authorities computed by a hash function (col. 2, lines 52-66, that is the digital signature contained in certificate is provided in encoded form produced by one-way hash function)).

As per claims 3, 14, 18, 21, and 22, Drews teaches determining if the contents of the assembly has been modified by decoding the encrypted hash value with the public key, determining an actual hash of the contents of the assembly and comparing the decoded encrypted hash with the actual hash (col. 5, lines 19-60, Figs 5A-5B and associated texts).

As per claim 4, Drews teaches the step of determining if the publisher of the assembly is the owner of the private key (col. 4, lines 31-39 discloses that the signed manifest includes a manifest digital signature 310 and a certificate chain 320 and that the manifest digital signature (col. 5, lines 46-60, see also col. 6, lines 3-7) is certified by using the subject public key).

As per claims 5, 15, and 23, Drews teaches the step of determining if the publisher of the assembly is the original owner of the key pair comprising the step of comparing the token of the public key in the referencing assembly with the public key stored in the manifest of the assembly (col. 5, lines 5-18).

As per claim 6, Drews teaches determining if the contents of the assembly has been modified by decoding the encrypted hash value with the public key, determining an actual hash of the contents of the assembly and comparing the decoded encrypted hash with the actual hash (col. 5, lines 46-60).

As per claim 7, Drews teaches the step of determining if the publisher of the assembly is the original owner of the key pair (col. 4, lines 31-39 discloses that the signed manifest includes a manifest digital signature 310 and a certificate chain 320 and that the manifest digital signature (col. 5, lines 46-60) is certified by using the subject public key).

As per claim 8, Drews teaches the step of determining if the publisher of the assembly is the original owner of the key pair comprising the step of storing the public key in a storage

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medium and comparing the public key in the storage medium with the public key in the manifest (col. 6, lines 18-41).

As per claim 9, Drews teaches computer readable medium having at least on computer executable component employable by an application program at run time comprising (col. 4, lines 1-30)

an assembly (Fig. 3 and associated text, boot-image) including a manifest (Fig. 3, element 150) that contains a public key (certificate chain 320) and a hash of the contents of the assembly encrypted by a private key (element 300), the private key and the public key forming a key pair, the encrypted hash being referenced to the assembly (col. 4, lines 31-4), and a referencing assembly (col. 5, lines 19-45, downloaded software) that references the assembly, the referencing assembly including a manifest that contains a reduced version of the public key of the assembly.

As per claims 11 and 24, Drews teaches the assembly being a dynamically linked library (col. 5, lines 26-31).

As per claim 17, Drews teaches a binding component adapted to provide binding policy information for determining a version of an assembly that an application program will run if another assembly having the same name resides on the system (col. 5, lines 26-31, i.e. an in-memory copy of the boot image awaiting verification).

Action is Final

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

Prior arts made of record, not relied upon:

US Patent 5,432,852 to Leighto et al.

US patent 5,412,717 to Fischer

US patent 6,560,706 to Carbajal et al.

US Patent 6,647,494 to Drews

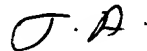
IBM Digital Signature and RSA Private key Format, IBM Technical Disclosure Bulletin, vol. 39, iss. 12, pages 9-16, December 1996

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Taghi T. Arani whose telephone number is (571) 272-3787. The examiner can normally be reached on 8:00-5:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Taghi T. Arani, Ph.D.

Examiner

Art Unit 2131

1/15/2006



Primary Examiner

Art Unit 2131

1/18/06